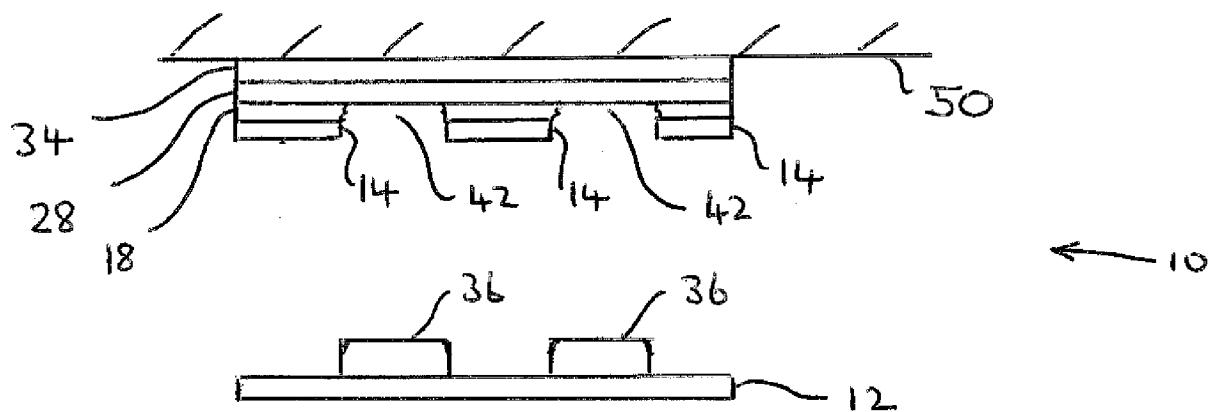
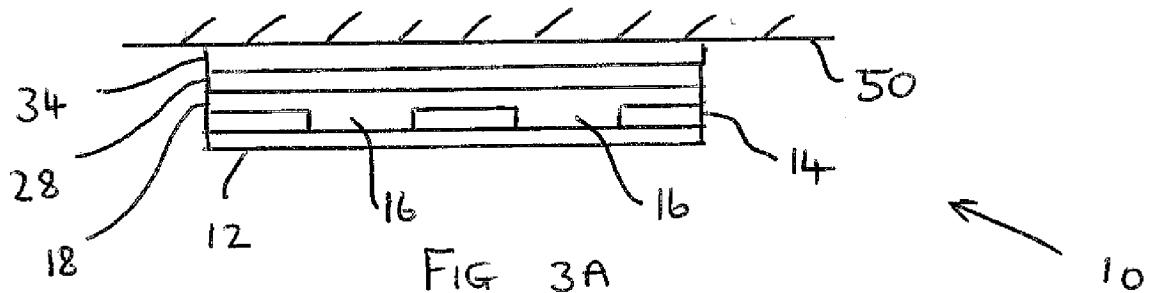


REMARKS

Claim 1 has been amended to include the features of claims 17 and 21. A new claim 37 has been added. Claim 37 is identical to the previous claim 1. The new claims 38 and 39 correspond to claims 17 and 21 respectively. In the circumstances, it is clear that the amendments made to the claims do not introduce any new subject matter.

The examiner has rejected claims 1, 17 and 21 under 35 USC 102 over Palmasi. Neither Banahan nor Gosselin et al has been employed in rejecting claims 1, 17 and 21. Applicant therefore believes that the only issue that need be addressed respect to patentability of the amended claim 1 and the new claim 37 is the rejection under 35 USC 102 over Palmasi.



Since claim 37 is broader in scope than claim 1, as now amended, applicant will consider first the issue of patentability of claim 37 over Palmasi.

It is an essential feature of the invention as claimed in claim 37 that the security label comprises a carrier film, and a first layer of a non affixing polymeric coating printed on the film which is substantially inadherable to the carrier film.

With reference to Figs. 3A and 3B, which were previously submitted and which are reproduced above for the examiner's reference, in Fig. 3A the release layer 30 of the security label 10 has been removed and the security label 10 has been applied to a support 50. In Fig. 3B the carrier in the form of a substrate 12 has been removed from the label 10. As the carrier film 12 is removed, it separates from the first layer 14, because the first layer 14 is defined as being substantially inadherable to the carrier film 12. Therefore, after separation, the first layer 14 is left in position on the support 50. However, when the carrier film 12 is removed, the affixing portions 36 of the second layer 18 remain adhered to the carrier film 12, and blank spaces 42 are formed in the parts of the security label 10 remaining on the substrate 50.

The advantage provided by the employment of a non-affixing first layer which is substantially inadherable to the carrier film is that the carrier film or substrate 12 is released more easily. This is because the bonded surface area which must be ruptured to permit release is smaller in the case of the label of the claimed subject matter than for conventional labels. The smaller bonded surface area also reduces the risk of damage during release, and permits the use of more intricate and complicated patterns.

The examiner suggests that Palmasi discloses a security label comprising a carrier film (Fig. 1, #14, "protective layer") a first layer of a non-affixing polymeric coating printed on the film (Fig. 1, #12, "patterned layer") the first layer being substantially inadherable to the carrier film. In support of this suggestion, the examiner cites column 3, lines 51 to 67 of Palmasi. However, column 3, line 66, of Palmasi discloses that the patterned layer 12 "is chosen to bond strongly to the protective layer". Fig. 3 of Palmasi is a view of the label of Palmasi after tampering. As shown in Fig. 3, when the protective layer 14 is detached from the security label

10, the patterned layer 12 adheres to the protective layer 14 rather than to the image layer 16, in contrast to the present claimed subject matter, in which the first layer of non-affixing polymeric coating is substantially inadherable to the carrier film, so that when the carrier film is detached, the first layer of non-affixing polymeric coating remains adhered to the label rather than the carrier film.

In this respect the arrangement of Palmasi and the way it functions in use is similar to the Banahan arrangement as discussed in the reply to the previous Office Action.

It is an important feature of the present claimed subject matter that the security label is suitable for forming by rotary letter press printing and thus the non-affixing polymeric coating of the first film is defined in claim 37 as comprising a UV rotary letter press ink. In contrast, the Palmasi document discloses in column 5, lines 49 to 62 that the preferred method of casting the patterned layer 12 on the protective film 14 is by a combination of a gravure roller and transfer roller. In the field of printing, gravure or rotogravure printing is regarded as a completely different process from letter press printing, and requires the use of different materials. The feature of the non-affixing polymeric coating comprising a UV rotary letter press ink is neither disclosed nor suggested in the Palmasi document.

In view of the foregoing, applicant respectfully submits that claim 37 is not anticipated by Palmasi. The other cited prior art documents, taken singly or in combination, provide no motivation, teaching or suggestion which would lead person of ordinary skill in the art to arrive at the subject matter of claim 37. Therefore, claim 37 is patentable and it follows that the dependent claims 38 and 39 also are patentable.

Claim 1, as now amended, is narrower in scope than claim 37 and is patentable for the reasons presented in support of claim 37. It follows that the dependent claims 2, 3, 6-16, 18-20 and 22-36 also are patentable. Applicant further submits that claim 1 is patentable independently of claim 37.

Claim 1 specifies that the UV rotary letter press ink of the first layer comprises a short chain polymeric substance, having a three dimensional lattice structure, and that the affixing material comprises a UV rotary letter press ink, comprising a long chain

polymeric substance, having a two dimensional structure.

The different chain lengths and molecular structures provide the layers with different properties.

It is clearly a requirement of the security label defined in claim 1 that the first and second layers have different properties, as otherwise both the first layer and the second layer would bond with the same strength to the carrier film, and there would therefore be either no affixing regions, or all affixing regions. The different chain lengths and molecular structures provide the layers with different bonding characteristics, so that the first layer is a non-affixing layer which is substantially inadherable to the carrier film, and the second layer is a layer of an affixing material which when the carrier film is separated from the label, remains attached to the carrier film.

Palmasi discloses a security label having a clear patterned layer 12 and an image layer 16, both of which can be made of exactly the same UV cured resin (column 5, line 7). In the Palmasi arrangement, as described in column 4, lines 24 to 44, it is also important that the image layer 16 and the patterned layer 12 have different bond strengths, and this is achieved by corona treating the patterned layer prior to casting the image layer on top of it, which reduces the bond strength between the image layer and patterned layer, consequently producing an increase in the bond strength differential between the image layer 16 and the protective layer 14 on one hand and the image layer 16 and the patterned layer 12 on the other hand. In the Palmasi arrangement it is important that in the tampered condition as shown in Fig. 3, the bond strength between the image layer 16 and the protective layer 14 is greater than the bond strength between the patterned layer 12 and the image layer 16, as the image layer must remain bonded to the protective layer at the same time as the bond between the image layer and the patterned layer is broken. This is achieved by the corona treatment. There is no disclosure in Palmasi or any of the other cited prior art documents of the use of layers having differing chain lengths and molecular structures to achieve differential bonding strengths as defined in claim 1.

Applicant also notes that Palmasi discloses that the patterned layer 12 and the image 16 are formed of a combination of oligomers. Oligomers are by definition short chain polymer substances. There is

no disclosure in Palmasi of a second layer of an affixing material comprising an plurality of affixing pigmented polymeric coatings which comprises a UV rotary letter press ink comprising a long chain polymeric substance having a two dimensional structure. As discussed previously, such a substance which is suitable for use in a rotary letter press is also not disclosed by Palmasi.

In view of the foregoing, applicant submits that, independently of the limitations also found in claim 37, the subject matter of claim 1 is not disclosed or suggested by the cited references, whether taken singly or in combination. Therefore, claim 1 is patentable and it follows that the dependent claims 2, 3, 6-16, 18-20 and 22-36 also are patentable independently of the limitations common to claims 1 and 37.

Respectfully submitted,

/John Smith-Hill/

John Smith-Hill
Reg. No. 27,730

SMITH-HILL & BEDELL, P.C.
16100 N.W. Cornell Road, Suite 220
Beaverton, Oregon 97006

Tel. (503) 574-3100
Fax (503) 574-3197
Docket: SWIN 3354